

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
DOCKET NO. 1:18-cv-00077-FDW

MARCUS FREEMAN,
Plaintiff,

vs.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,
Defendant.


ORDER

This matter is before the Court on Defendant's Motion for Remand to the Commissioner for further administrative proceedings (Doc. No. 12). The Commissioner wishes to conduct further fact finding, including holding a new hearing. Plaintiff's counsel consents to the Motion for Remand.

The Court finds good cause has been alleged for remand and that further administrative fact-finding is warranted. Accordingly, the Motion for Remand (Doc. No. 12) is GRANTED, and Plaintiff's Motion for Summary Judgment (Doc. No. 10) is DENIED AS MOOT. The Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and remands the case to the Commissioner for further proceedings, including a new hearing. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991). The Clerk of Court is respectfully directed to close this case.

IT IS SO ORDERED.

Signed: November 5, 2018


Frank D. Whitney
Chief United States District Judge

